

## UNITED STATES DISTRICT COURT

NORTHERN

DISTRICT OF

ILLINOIS, EASTERN DIVISION

UNITED STATES OF AMERICA

**FILED**

v.

JAN - 4 2008

MAGISTRATE JUDGE BROWN  
CRIMINAL COMPLAINT

PATRICK M. MCKIBBINS

MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

CASE NUMBER:

**08CR 0005**

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about January 3, 2008 in Cook county, in the Northern District of Illinois defendant(s),

did travel in interstate commerce from the state of Wisconsin, to the state of Illinois, for the purpose of engaging in illicit sexual conduct as defined in Title 18, United States Code, Section 2423(f),

in violation of Title 18 United States Code, Section(s) 2423(b).

I further state that I am a(n) Immigration and Customs Enforcement, Special Agent and that this complaint is based on the following facts:

See attached affidavit.

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

Lindsey E. Chappell  
Signature of Complainant

Sworn to before me and subscribed in my presence,

January 4, 2008 at  
Date

Chicago, Illinois  
City and State

GERALDINE SOAT BROWN, U.S. Magistrate Judge  
Name & Title of Judicial Officer

Geraldine Soat Brown  
Signature of Judicial Officer

STATE OF ILLINOIS     )  
                                      )     SS  
COUNTY OF COOK     )

I, Lindsey Chappell, being duly sworn, do hereby depose and state as follows:

1. I am a Special Agent with the United States Department of Homeland Security, Immigration and Customs Enforcement ("ICE"), and have been so employed for approximately two and one half years. I am currently assigned to the Cyber Crimes Investigation group within ICE, and my primary responsibility is to investigate criminal violations relating to child exploitation, including persons traveling in interstate and foreign commerce for the purpose of engaging in a sexual act with a minor, in violation of 18 U.S.C. § 2423(b). I have received training in the investigation of child exploitation offenses. I have personally participated in child exploitation investigations.

2. This Affidavit is in support of a complaint charging Patrick M. McKibbins with traveling in interstate commerce from the state of Wisconsin, to the state of Illinois, for the purpose of engaging in illicit sexual conduct with a minor as defined in Title 18 U.S.C. Section 2423(f), in violation of 18 U.S.C. Section 2423(b). The information in this Affidavit is based on my own investigation as well as information I have compiled and received from other sources and law enforcement officers. This affidavit does not contain all the details of the information known to me regarding the events described herein and is set forth solely as probable cause in support of the attached complaint.

**The Undercover Investigation**

3. On November 22, 2007, at approximately 11:50 a.m., a detective with the Winfield (Illinois) Police Department Internet Investigations Unit was conducting an online undercover

investigation. The detective conducts investigations regarding both misdemeanors and felonies that occur over the Internet, including trafficking of child pornography and indecent solicitation of children. On November 22, 2007, the detective was using the Internet Service Provider ("ISP") America Online ("AOL"), and the undercover screen name "AshleyPrncss0589," which has a member profile of a 15-year-old high school freshman from a western suburb of Chicago.

4. On November 22, 2007, at approximately 11:50 a.m., the detective, using the undercover screen name AshleyPrncss0589 entered an AOL chat room titled "Chicago." At this time, AshleyPrncss0589 received an Instant Message ("IM") from an individual using the screen name "ROADS999666." An IM allows two individuals to simultaneously exchange text messages.

5. The following is a summary of the conversation between AshleyPrncss0589 and ROADS999666 on November 22, 2007, at approximately 11:50 a.m.:

- a. ROADS999666 stated that he was a 20-year-old male from Milwaukee, Wisconsin, and his name was "Pat." AshleyPrncss0589 stated she was a 15-year-old female from a suburb approximately thirty minutes west of Chicago, Illinois. ROADS999666 stated he drove a purple Ford Probe, and that he would let AshleyPrncss0589 drive his car. ROADS999666 also stated he was a new user of AOL, and asked to see a picture of AshleyPrncss0589.
- b. AshleyPrncss0589 told ROADS999666 her picture could be seen in her profile, and ROADS999666 stated he was unable to view it. At that time, AshleyPrncss0589 emailed to ROADS999666 a picture depicting a 15-year-old female sitting in front of a high school wearing a cheerleading uniform, at his email address ROADS999666@aol.com.

- c. ROADS999666 stated he liked the picture and thought AshleyPrncss0589 was pretty. ROADS999666 also stated he had brown hair, green eyes, and was approximately 5'7 in height, and weighed approximately 160 pounds. ROADS999666 further stated to AshleyPrncss0589, "I wish I was younger...because you are not considered an adult we could get in trouble if anyone new."
- d. ROADS999666 then asked AshleyPrncss0589 where he could meet her, and AshleyPrncss0589 stated there was a park near her house where they could meet. ROADS999666 further stated to AshleyPrncss0589, "I would love to meet you...I would come tonight if you would let me..." AshleyPrncss0589 told ROADS999666 she could not meet him that night, but stated she had no plans the next day (November 23, 2007) and that her mom was working all day.
- e. ROADS999666 later asked AshleyPrncss0589 how many times she had sex, to which AshleyPrncss0589 replied she had sex three times. ROADS999666 then asked AshleyPrncss0589, "you going to wana do it?" AshleyPrncss0589 stated to ROADS999666, "i dont care sure...just don't wanna get pregnant." To this, ROADS999666 replied, "ill were a condom."
- f. ROADS999666 also asked if AshleyPrncss0589 had ever performed oral sex on a male, and AshleyPrncss0589 stated she had. ROADS999666 stated he liked to perform oral sex on females, and further stated "I will put my tugn inside you and lick all over it down their I like it alot."

- g. ROADS999666 told AshleyPrncss0589 he was scared, but that he liked her. ROADS999666 then stated he could not meet on November 23, 2007, because he forgot he had two doctor's appointments. ROADS999666 stated to AshleyPrncss0589 that he would be able to meet her on Saturday (November 24, 2007). To this, AshleyPrncss0589 replied, "mom will be home satruday LATER."

6. The detective, using undercover screen name AshleyPrncss0589 spoke with ROADS999666 again on November 22, 2007, at approximately 1:07 p.m. using AOL IM. The following is a summary of that conversation.

- a. ROADS999666 stated he could try to reschedule his doctor's appointments and possibly meet with AshleyPrncss0589 on November 23, 2007, at noon. AshleyPrncss0589 responded that she had winter break in a few weeks and ROADS999666 could meet her then. ROADS999666 stated, "y not tomorrow," to which Ashley0589 replied, "u seem scared don't wanna waste my time sittin at the park waitin for u." ROADS999666 replied, "ill be their il like you." Eventually, AshleyPrncss0589 and ROADS999666 agreed to meet at 11:30 a.m. on November 23, 2007, at Wynwood Park in Winfield, Illinois.
- b. ROADS999666 also asked AshleyPrncss0589 if she liked older men, and AshleyPrncss0589 stated she did. ROADS999666 then stated to AshleyPrncss0589, "if i was 40 would that matter."

AshleyPrncss0589 replied to ROADS999666, "no...i don't care about age." ROADS999666 then told AshleyPrncss0589 he was actually 40 years old, not 20 years old, like he had originally told her when they had spoken previously. AshleyPrncss0589 stated to ROADS999666, "im still only 15 LOL...is that ok?" ROADS999666 stated, "yes because I like you its ok just we have to be carfull."

- c. During this conversation, Roads999666 further stated he worked part time as a cleaning company supervisor, and was attending school part-time for computer training. ROADS999666 stated he could be AshleyPrncss0589's dad, and asked AshleyPrncss0589, "are you going to call me daddy if we do it?" ROADS999666 further stated to AshleyPrncss0589, "dady is going to pull your panties down ok...can dady lick you their?" ROADS999666 also stated to AshleyPrncss0589, "if we do it I hope you cum." AshleyPrncss0589 then stated she had to sign off AOL, and told ROADS999666 she would send him an email in the morning, and for him to check his email before leaving to meet her.

7. On November 23, 2007, at approximately 7:40 a.m., the detective logged onto AOL using the undercover screen name AshleyPrncss0589, and sent ROADS999666 an email at ROADS999666@aol.com. In the email, AshleyPrncss0589 stated she could not meet with ROADS999666 on November 23, 2007, because her mom was at home, sick, and was not going to work. AshleyPrncss0589 asked ROADS999666 to send her an IM or email to let her know he had

received her email before driving to Winfield, Illinois. Also during this exchange, ROADS999666 told AshleyPrncss0589 that he used Road Runner as his ISP.

8. On November 23, 2007, at approximately 9:05 a.m., the detective logged onto AOL using the undercover screen name AshleyPrncss0589 and observed an email from ROADS999666 dated November 23, 2007, at 8:48 a.m. in the inbox. The email stated "yes I got it hun will you be on today I wanna be with you so bad I got a cam yesterday."

9. On November 23, 2007, at approximately 9:09 a.m. AshleyPrncss0589 received an IM from ROADS999666. The following is a summary of that conversation:

- a. ROADS999666 stated he was very attracted to AshleyPrncss0589 and he indicated that he was disappointed they could not meet. ROADS999666 asked AshleyPrncss999666 if she could sneak out of her house later that night when her mom was sleeping. AshleyPrncss0589 told ROADS999666 she could not sneak out, and ROADS999666 stated, "I can come to your bedroom window lol."
- b. ROADS999666 stated he still wanted to meet AshleyPrncss0589, and stated he was going to bring her flowers when he came to visit her. AshleyPrncss0589 stated she liked yellow roses. ROADS999666 asked AshleyPrncss0589 if she used Yahoo and told her he had a Yahoo account. AshleyPrncss0589 stated she has a Yahoo ID, but stated she is unable to log onto the site. At this time, ROADS999666 attempted to explain to AshleyPrncss0589 the steps to reinstall Yahoo. This conversation ended at approximately 11:29 a.m.

10. On December 2, 2007 the detective logged onto AOL using the undercover screen name AshleyPrncss0589. At approximately 8:27 a.m., the detective observed an IM from Roads999666. Roads999666 stated to AshleyPrncss0589, "I miss you." Roads999666 then told AshleyPrncss0589 that he loved her and that he had naked pictures to show her. Roads999666 then stated, "I want you to see for reel though when we meet." Roads999666 stated that he wished he could meet with AshleyPrncss0589 that day. AshleyPrncss0589 responded, "I know me too but mom is home will have to be when im on christmas break or one day during the week I can call myself itno school sick and mom will be at work alll day." Roads999666 then described the sexual intercourse he planned to have with AshleyPrncss0589 when they met. At approximately 8:54 a.m., Roads999666 asked if they could continue their conversation on ISP Yahoo. The detective then told ROADS999666 that she would use the screen name ashleyprncss0589 on Yahoo.

11. On December 2, 2007, at approximately 9:01 a.m., the detective logged onto Yahoo using the undercover screen name AshleyPrncss0589 and sent an IM to screen name deisel69a and asked "is this pat?" Screen name deisel69a responded, "yes." Deisel69a then sent ashleyprncss0589 a video of himself using a web camera. A picture of deisel69a's face was captured on the web camera. While the detective was logged onto the internet on this date, he entered a command into the computer that told him that deisel69a was at that time communication<sup>ing</sup> on AOL at IP address 72.133.209.50. That IP address is listed to Road Runner, an internet service provider based in Virginia. (CSA)  
(LC)

12. On December 2, 2007 at approximately 3:01 p.m., deisel69a sent ashleyprncss0589 an IM stating, "ill takke you as my daughter when I am done with school," and "and when you are 18 if you sill have feelings for me ill marrie you." Deisel69a also stated that "you have to remember



we can be together by law as friends but not as lovers no one can know we have to act as friends.” Deisel69a then asked when ashleyprncss0589 turns seventeen years old and ashleyprncss0589 responded “in 2 yrs.”

13. On December 28, 2007, at approximately 2:11 p.m., the detective logged onto AOL using the undercover screen name AshleyPrncss0589. At that time, Roads999666 and AshleyPrncss0589 decided to continue their conversation on Yahoo under the screen names deisel69a and ashleyprncss0589. During that conversation, deisel69a informed ashleyprncss0589 that he had pornography. Deisel69a then agreed to meet ashleyprncss0589 on Thursday, January 3, 2008. He indicated that he would have sexual intercourse with ashleyprncss0589 during that meeting.

14. On January 3, 2008, at approximately 11:59 a.m., the detective logged onto AOL using the undercover screen name AshleyPrncss0589. Roads999666 and AshleyPrncss0589 spoke briefly on AOL and then continued their conversation on Yahoo under the screen names deisel69a and ashleyprncss0589. During those conversations, ashleyprncss0589 and deisel69a agreed to meet at Wynwood Park in Winfield, Illinois on January 3, 2008. The detective, through the undercover screen name ashleyprncss0589, told deisel69a to call the phone number (630)665-4258 when deisel69a was close to the park.

#### **ISP Information**

15. On November 28, 2007, the detective obtained information from AOL subject to a DuPage County Grand Jury subpoena. AOL reported that the screen name Roads999666 is owned by Patrick McKibbins at 6682 N. 90<sup>th</sup> St., Milwaukee, Wisconsin.

16. The detective then conducted a Lexis/Nexis search and located Patrick M. McKibbins

at the above Milwaukee address, with date of birth of November 10, 1965. He also obtained Patrick McKibbins driver's license photo which matched the webcam video that deisel69a had sent to ashleyprncss0589.

### **The Arrest**

17. On January 3, 2008, ICE agents stationed in Wisconsin conducted surveillance outside of McKibbins' home at 6682 N. 90<sup>th</sup> St., Milwaukee, Wisconsin. The ICE agents were provided with a physical description of McKibbins, namely that he was a 5'7" white male with short brown hair, green eyes and weighed 160 pounds. Shortly after the last Yahoo online conversation with ashleyprncss0589, the ICE agents observed a male leaving McKibbins' residence and getting into a purple Saturn. ICE agents checked the vehicle's registration and determined it was registered to Patrick McKibbins 6682 N. 90<sup>th</sup> St., Milwaukee, Wisconsin. The ICE agents then followed that vehicle to Lake Forest, Illinois. At that time, the ICE agents contacted ICE agents stationed in Illinois and informed those agents of the individual's whereabouts and gave them a description of his vehicle, including his license plate.

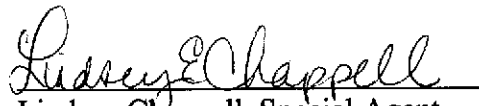
18. At approximately 4:58 p.m., ICE agents received a call to the phone number the Winfield detective had previously provided to McKibbins. A female officer acting in an undercover capacity answered the call. The male caller stated that he was currently at I-355 and would arrive at the park shortly. The same individual called the phone again at approximately 5:57 p.m. and informed the female officer that he was at the park.

19. At approximately 6:10 p.m., ICE agents observed an individual arrive in the vicinity of the Wynwood Park in the same purple Saturn the agents had surveilled from Milwaukee, Wisconsin. The individual parked his vehicle and then began running toward Wynwood Park. The

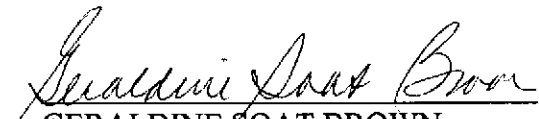
individual was placed into custody once he reached the park. At that time, the ICE agents were able to identify the individual as McKibbins based on his driver's license photo and the photo captured on the web camera on December 2, 2007. The individual then also identified himself as Patrick McKibbins. In a search of McKibbins incident to arrest, ICE agents retrieved a small box of condoms from his pants pocket.

20. Based on the foregoing facts, Affiant respectfully submits that there is probable cause to believe that PATRICK M. MCKIBBINS, did travel in interstate commerce from the state of Wisconsin, to the state of Illinois, for the purpose of engaging in illicit sexual conduct as defined in Title 18, United States Code, Section 2423(f), in violation of Title 18, United States Code, Section 2423(b).

FURTHER AFFIANT SAYETH NOT.

  
Lindsey Chappell, Special Agent  
U.S. Department of Homeland Security  
Immigration and Customs Enforcement

SUBSCRIBED TO AND SWORN BEFORE  
me this 4<sup>th</sup> day of January, 2008

  
GERALDINE SOAT BROWN  
UNITED STATES MAGISTRATE JUDGE